

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

WILLIAM DOUGLAS BLACKMON,
Plaintiff,

v.

**COMMISSIONER, SOCIAL SECURITY
ADMINISTRATION,**
Defendant.

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**CIVIL ACTION No. 6:14-cv-260-
MHS-JDL**

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Plaintiff William Douglas Blackmon initiated this civil action pursuant to Social Security Act, Section 205(g) for judicial review of the Commissioner's denial of Plaintiff's application for Social Security benefits. The case was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation concluding that the decision of the Commissioner should be affirmed and the action dismissed with prejudice.

The Report and Recommendation of the Magistrate Judge, which contains his findings, conclusions, and recommendation for the disposition of this action, has been presented for consideration. Plaintiff has filed an objection to the Report and Recommendation (Doc. No. 23). Specifically, Plaintiff objects to Judge Love's finding that "the ALJ did not err in his credibility finding in concluding that Mr. Blackmon has no objective findings related to his [alleged debilitating symptoms]." *Id.* Plaintiff further cites to the transcript in alleging that the ALJ improperly made the premature determination that Mr. Blackmon is not disabled. *Id.* However, a review of the transcript does not reveal that the ALJ came to any premature conclusion that Mr. Blackmon is not disabled. Moreover, Judge Love found that the ALJ's credibility evaluation was properly supported with objective medical evidence and other reliable factors, including his

daily activities and functioning, his general demeanor, and the statements and assessments from examining and evaluating sources. (Doc. No. 22 at 7-8.) Therefore, Judge Love concluded that the ALJ did not err in his credibility assessment of the Plaintiff. (Doc. No. 22, at 8.) Accordingly, the Court agrees with the Magistrate Judge's finding that the ALJ did not err in his credibility finding.

Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly **ORDERED** that the decision of the Commissioner is **AFFIRMED** and the complaint is hereby **DISMISSED WITH PREJUDICE**. It is further **ORDERED** that any motion not previously ruled on is **DENIED**.

SIGNED this 11th day of August, 2015.

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE